



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX – PACIFIC SOUTHWEST REGION
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Ford Fuchigami
Director, Hawaii Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813

SEP 28 2016

RE: U.S. v. Hawaii Department of Transportation Case 1:14-cv-00408-JMS-KSC Consent Decree

Dear Director Fuchigami,

On June 30, 2016, EPA received the *Storm Sewer System Operation and Maintenance program* (O&M Manual), submitted by HDOT-Harbors in response to the June 2, 2015 disapproval of the initial O&M Manual. EPA and HDOH have serious concerns regarding the direction this version of the O&M Manual seems to be headed. Specific comments on the O&M Manual are included in *Attachment 1*. EPA and HDOH are available to schedule a meeting if HDOT would like to discuss the details of our comments. If you have any technical questions please contact Connor Adams at (415) 947-4109 or via email at adams.connor@epa.gov. For legal questions, please contact Ellen Blake at (415)972-3496 or via email at blake.ellen@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Wampler", with a long horizontal flourish extending to the right.

David Wampler
Chief, Water II Enforcement Office

Attachment

Enclosures

cc: Marjorie A. Lau, Deputy Attorney General, HDOT
Spencer Yim, P.E., HDOT
Matt Kurano, Hawaii Department of Health

Attachment 1

Specific Comments on HDOT's June 2016 O&M Manual Submittal

Overarching Comment

This version of the O&M Manual is written for regulators, not HDOT personnel. This is a substantial change to the previous version of the O&M Manual and it is also inconsistent with the other manuals (e.g. tenant inspection manual). It is not the intent of EPA and HDOH to require regulatory reporting for HDOT outside of the annual compliance reports that are required by the Consent Decree. We intended that the O&M Manual would be written for HDOT employees, including managers and those with programmatic responsibilities. We understand that HDOT is in the process of developing user manuals for staff. EPA and HDOH request that HDOT, at a minimum, submit the O&M user manuals as appendices to the subsequent revision of the document.

Incomplete or Missing Elements

The O&M Manual should describe the departments and personnel responsible for activity implementation. While this information may be accessible via HDOT's AMS, it was not presented in the O&M Manual. For the manual to be an effective tool for HDOT, we suggest that HDOT remove any ambiguous generalizations regarding who is responsible for specific tasks.

The O&M Manual should also include timelines and recurring schedules for each activity. Using street sweeping as an example, the O&M Manual does not define routine frequencies, routes and timelines for street sweeping activities. As written, it is unclear how HDOT would know how to manage the street sweeping activities and who at HDOT would be responsible for oversight, modification and evaluation of that activity.

The O&M Manual does not include dates and timelines for the procurement of necessary equipment. Specifically, the O&M Manual does not go into detail about specific operations and maintenance activities, nor does the plan identify any limitations to implementation based on a lack of tools or similar resources. If this is the case, EPA and HDOH expect that every "Task" within HDOT's AMS is executable at this time.

HDOT has reported that the initial cleaning of the storm drain system was completed by a contractor. It is unclear what the routine cleaning schedule will be based on the O&M Manual. The AMS system appears to be able to schedule such activities, however, the O&M Manual does not describe how the cleaning schedules are set nor implemented besides "as necessary."

It is unclear whether HDOT has completed conducting the inspections of the storm sewer system to identify structural defects, trash and debris accumulation, and other constraints that limit the flow of storm water. The results of the inspections, particularly if there are structural defects, have not been reported. Based on conversations with HDOT personnel, EPA and HDOH believe that the required inspections have been conducted and that the AMS houses the information.

However, as the status of the inspections were not provided, it is unclear whether the inspections have been completed or when future inspections will be conducted.

We have provided some specific comments on various sections below.

Section 2.0 - Storm Sewer Mapping and Asset Inventory

EPA and HDOH are aware that HDOT has completed a storm sewer system asset inventory. Please update the O&M Manual to include a list of inventoried features/assets. The section should clearly define list of all assets, the types of data taken for each, how often the inventory needs to be reconciled and how new assets are added to the system. This section should also identify who is responsible for keeping the inventory up to date and the processes through which the inventory is managed.

Section 3.0 - Roles and Responsibilities

The section does not provide position level resolution and lacks description of the workflow that links each organizational unit together. Please revise the O&M Manual to include additional workflow specificity. As discussed during the years we spent negotiating the Consent Decree, we believe it is necessary to have an O&M Manual that clearly describes the specific duties that are part of the overall workflow for O&M and then defines which organizational unit and position conducts those duties. If HDOT has already begun an effort to create standard operating procedures or a user manual with this level of detail, HDOT can submit their workflow information via an attached document.

Section 4.0 - Asset Management System (AMS)

This section provides an overview of AMS capabilities that HDOT has developed and we applaud the resources that HDOT has put into developing the AMS. However, it is unclear how HDOT uses the capabilities and how the system is managed on a personnel level. The list of work orders provided in Appendix B suggests that the AMS system has a robust set of work orders and appears to cover the storm sewer system's standard O&M, but there is a lack of explanation on how the work order system is managed and how personnel use the work order system. For example, the O&M Manual does not clearly define how the AMS system knows when to require work from HDOT personnel nor how HDOT personnel must do the work. Please edit the O&M Manual to provide the clarity that is necessary to understand how the system is managed and how personnel use the work order system.

The Inspection section of section 4.0 provides detail including who will conduct inspections of the storm drain system and at what frequencies (quarterly) the inspections will be completed. Please include in the O&M Manual, descriptions of the workflows (more than just the task specific workflows in section 4.4.4.) and standard operating procedures that clearly detail the process work gets assigned and completed. Further, HDOT should consider details on how the AMS accounts for the inspections as well as SOPs for the inspection program.